

App. No.: 10/676,941
Response filed July 22, 2008
Restriction Requirement dated June 23, 2008

REMARKS

In response to the Restriction Requirement mailed June 23, 2008, Applicant elects herewith prosecution on the merits with regard to claims 23-45 which are drawn to defining a transmission rate greater than an average rate.

Applicant submits that no fees are required for entry of this Response to Restriction Requirement; however, if any fees are deemed necessary, the Commissioner is authorized to charge the requisite fee to Deposit Account No. 03-1550.

Respectfully submitted,

CHERNOFF, VILHAUER, McCLUNG & STENZEL

Dated: July 22, 2008

By




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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 22, 2008.

Dated: July 22, 2008



Kevin L. Russell